

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

WILLIAM ROBERT WEST,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 7:07-CV-0930-TMP
)	
KILBY CORRECTIONAL FACILITY,)	
et al.,)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on January 16, 2008, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DONE and **ORDERED** this 13th day of February, 2008.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE